

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ROBERT LYLE, :
Plaintiff, : Case No. 3:17-cv-00368
vs. : District Judge Walter H. Rice
COMMISSIONER OF THE SOCIAL : Magistrate Judge Sharon L. Ovington
SECURITY ADMINISTRATION :
Defendant. :

DECISION AND ENTRY

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #12), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations docketed on May 8, 2019 (Doc. #12) is **ADOPTED** in full;
2. The Commissioner's non-disability finding is vacated;
3. No finding is made as to whether Plaintiff Robert Lyle was under a "disability" within the meaning of the Social Security Act;
4. This case is remanded to the Commissioner and the Administrative Law Judge under Sentence Four of 42 U.S.C. § 405(g) for further consideration

consistent with the Report and Recommendations and this Decision and Entry; and

5. The case is terminated on the Court's docket.



Walter H. Rice
United States District Judge